

RESOLUTION NO. 86-07

RESOLUTION APPROVING AGREEMENT WITH THE
SOUTHERN PACIFIC TRANSPORTATION COMPANY
ON LOCKEFORD STREET RECONSTRUCTION
PLEASANT AVENUE TO SACRAMENTO STREET

RESOLVED, that the City Council of the City of Lodi does hereby approve Agreement with the Southern Pacific Transportation Company on Lockeford Street Reconstruction - Pleasant Avenue to Sacramento Street, a copy of which is attached hereto, marked Exhibit "A", and thereby made a part hereof.

BE IT FURTHER RESOLVED THAT the City Council of the City of Lodi does hereby authorize the Mayor and City Clerk to execute the subject agreement on behalf of the City.

Dated: January 15, 1986


I hereby certify that Resolution No. 86-07 was passed and adopted by the City Council of the City of Lodi in a Regular Meeting held January 15, 1986 by the following vote:

AYES: Council Members - Olson, Reid, Snider, and Hinchman
(Mayor)

NOES: Council Members - None

ABSENT: Council Members - Pinkerton

ATTEST:


ALICE M. REIMCHE
City Clerk

THIS AGREEMENT, made this _____ day of _____, 1985, by and between SOUTHERN PACIFIC TRANSPORTATION COMPANY, a Delaware corporation, herein termed "Railroad," and CITY OF LODI, a municipal corporation of the State of California, herein termed "City";

RECITALS:

The parties hereto desire to set forth by this instrument their agreements with respect to the rehabilitation of Lockford Street where same crosses tracks and property of Railroad, at or near Lodi, in the County of San Joaquin, State of California.

AGREEMENT:

1. Railroad shall provide the necessary labor, tools and equipment and shall perform the following work:

- (a) remove existing crossing surface;
- (b) prepare its track, including relay of rail and ties;
- (c) install subgrade stabilization; and
- (d) raise the track to provide proper drainage.

2. City shall contribute to Railroad the sum of twenty-nine thousand dollars (\$29,000) as its share of the cost to Railroad in performing the work specified in Section 1 above.

3. City, at its expense, will provide all the required barricades and signs to accomplish the work specified above.

4. The work to be performed by Railroad hereunder shall be commenced as soon as labor and materials are available, following execution of this instrument, and shall be completed within one (1) year thereafter.

5. The print of Railroad's Drawing B-17936 dated January 9, 1984, is attached and hereby made a part hereof.

6. This agreement shall be binding upon and inure to the benefit of the successors and assigns of Railroad and the assigns of City.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate the day and year first herein written.

SOUTHERN PACIFIC TRANSPORTATION
COMPANY

By _____

Title: _____

CITY OF LODI

By _____ Mayor

By _____ Clerk

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CITY OF LODI
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